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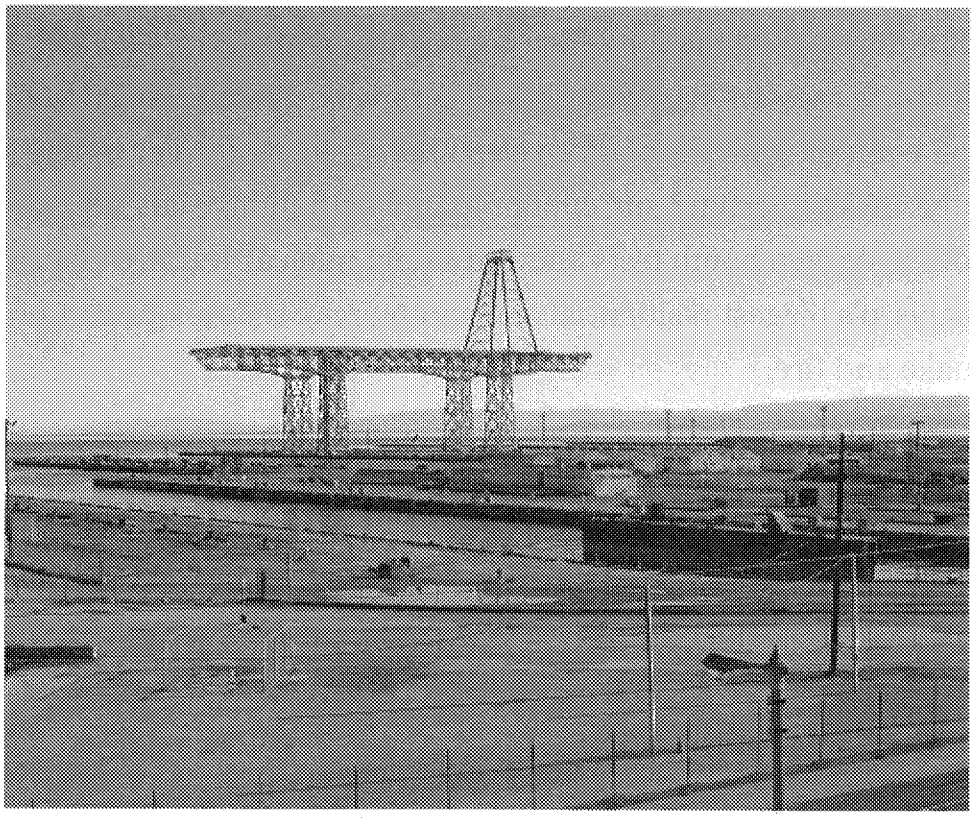


Photo by SanFranmanS9/Wikicommons

Hunters Point shipyard housing: Fraud coupled with contamination discoveries fuel doubt, calls to test area

Navy may have stored radioactive chemicals and ran radiation lab on hilltop area that was long-assured to be clean—and where whistleblowers say they discovered toxic contamination

By **Chris Roberts** | **@cbloggy** | May 4, 2018, 3:27pm PDT

In the summer of 2009, Anthony Smith, a radiation technician working on the cleanup project at the heavily polluted former Navy shipyard at San Francisco's Hunters Point, needed to find clean dirt.

So Smith went to an area of the base away from the contamination at the old workshops, drydocks, landfill, and laboratories, towards the hill leading to where about 300 occupied flats and townhomes are situated today, a slice of land called Parcel A.

At the time, Smith was working for a firm contracting with Tetra Tech EC. A subsidiary of Tetra Tech Inc., a massive Pasadena-based company, Tetra Tech EC had been awarded a $300 million contract with the Navy to clean the 450-acre former military base, a heavily polluted EPA Superfund site contaminated with industrial and radioactive waste stemming from hydrogen bomb tests and top-secret nuclear warfare research, to prepare it for San Francisco's biggest residential and commercial redevelopment project since the 1906 earthquake and fire.

Most of the base was still heavily contaminated, including, as Smith and other former co-workers and supervisors would allege later in sworn statements, the areas that Tetra Tech was supposed to be cleaning, but wasn't.

So far, two former Tetra Tech supervisors have pleaded guilty to falsifying documents and have been sentenced to federal prison.

Instead, at the order of top on-site officials, workers with the company were committing fraud: faking soil samples and ensuing records, faking scans for radiological contamination, and letting contaminated soil trucked to landfills as if it were clean. So far, two former Tetra Tech supervisors have pleaded guilty to falsifying documents and have been sentenced to federal prison.

But, Smith believed, none of those problems Tetra Tech was deliberately hiding applied to Parcel A.

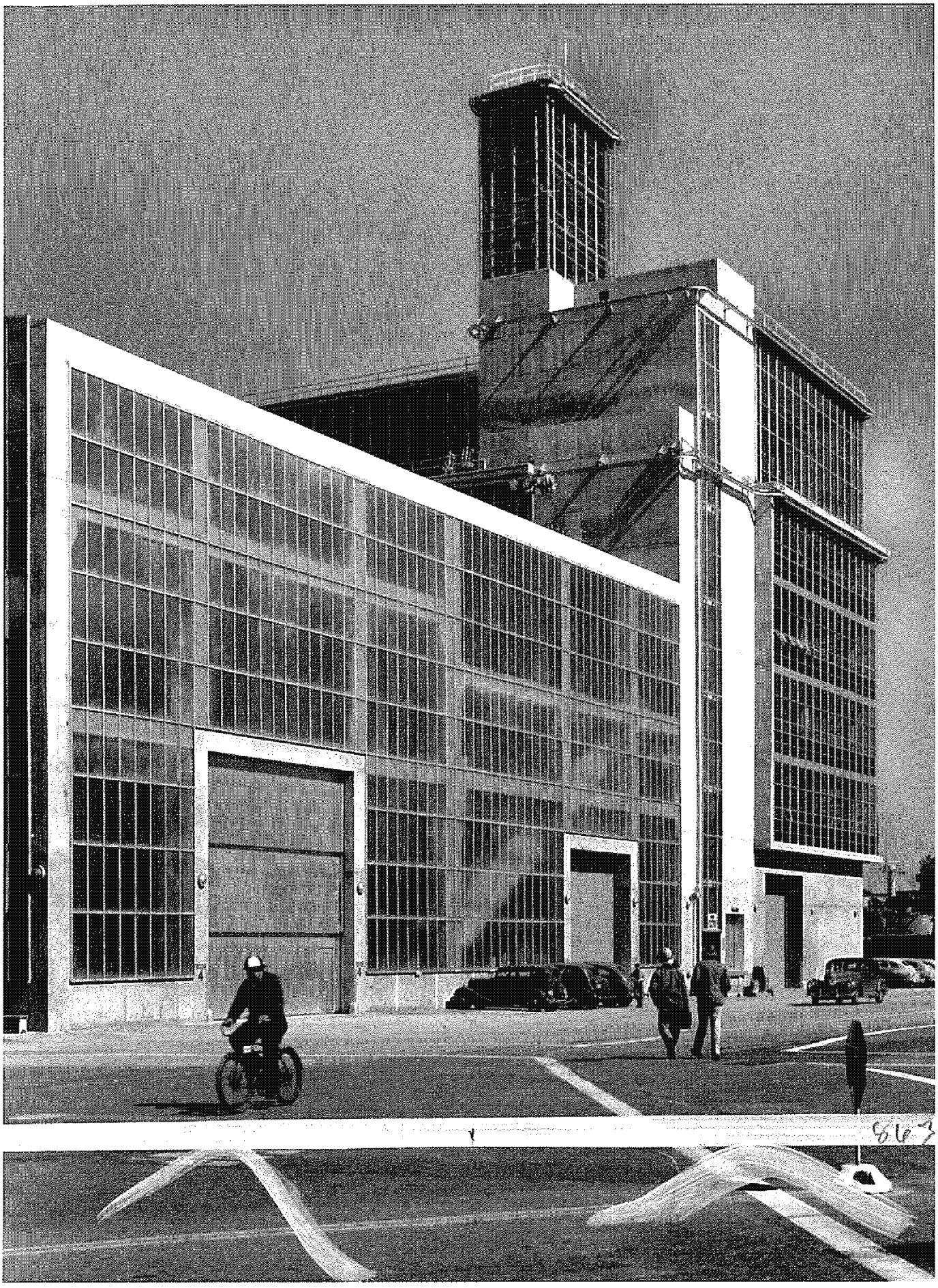
Parcel A was where the Navy sited its housing and offices. Both the Navy and the EPA had argued for Parcel A's release for development as early as the 1990s.

Since that time, and after the fraud scandal was revealed, government and regulatory agencies and elected officials have repeated claims that none of the concerns about the rest of the Hunters Point shipyard applied to Parcel A.

These claims are made today despite Parcel A never undergoing the same level of investigation as the rest of the base—on the basis that the Navy did not site its polluting

activities there—despite the widening fraud scandal, and despite Smith's discovery, in soil that he claims was from Parcel A, collected for a background sample, of cesium 137, a radioactive isotope created during nuclear fission, at levels above the EPA-mandated release criteria.

Smith's discovery, first reported last year by NBC Bay Area, is one of several that suggest to nuclear radiation experts, cleanup watchdogs, and current residents of The SF Shipyard that Parcel A needs to be fully tested.



U.S. Naval dry docks, Hunters Point, 1943. Photo courtesy of San Francisco Maritime National Historic Park, used with permission

Another Tetra Tech worker turned whistleblower, Bert Bowers, told Curbed SF that he found elevated levels of radium in a manhole leading to a sewer line on Parcel A in 2004.

And Navy records, publicly available for more than a decade, show that buildings housing a lab and storage for the Naval Radiological Defense Laboratory were sited on the hilltop. To this date, it is not known what materials were stored there—or if the current buildings, former Navy housing, were cleaned of contamination.

Officials from both the Navy and the EPA respond that Smith's discovery was on an adjacent parcel later separated from Parcel A. They also point out that none of the fraud allegations impugning the rest of the base cleanup apply to Parcel A.

That's because, watchdogs reply, Parcel A was never fully tested.

"We definitely want to see Parcel A retested. A lot of us are saying, 'Please retest Parcel A,'" said Jason Fried, an SF Shipyard homeowner.

According to Fried, inquiries from homeowners about the area's safety to San Francisco public health and development officials were met with swift and unequivocal insistence that the area is safe.

"We think there's no reason not to retest it," he added. "Unless you're trying to hide something."

Hunters Point may still be one of the most toxic areas in the United States.

Banned solvents, petroleum byproducts, and other industrial waste contaminated many of the (mostly) abandoned buildings and much of the soil.

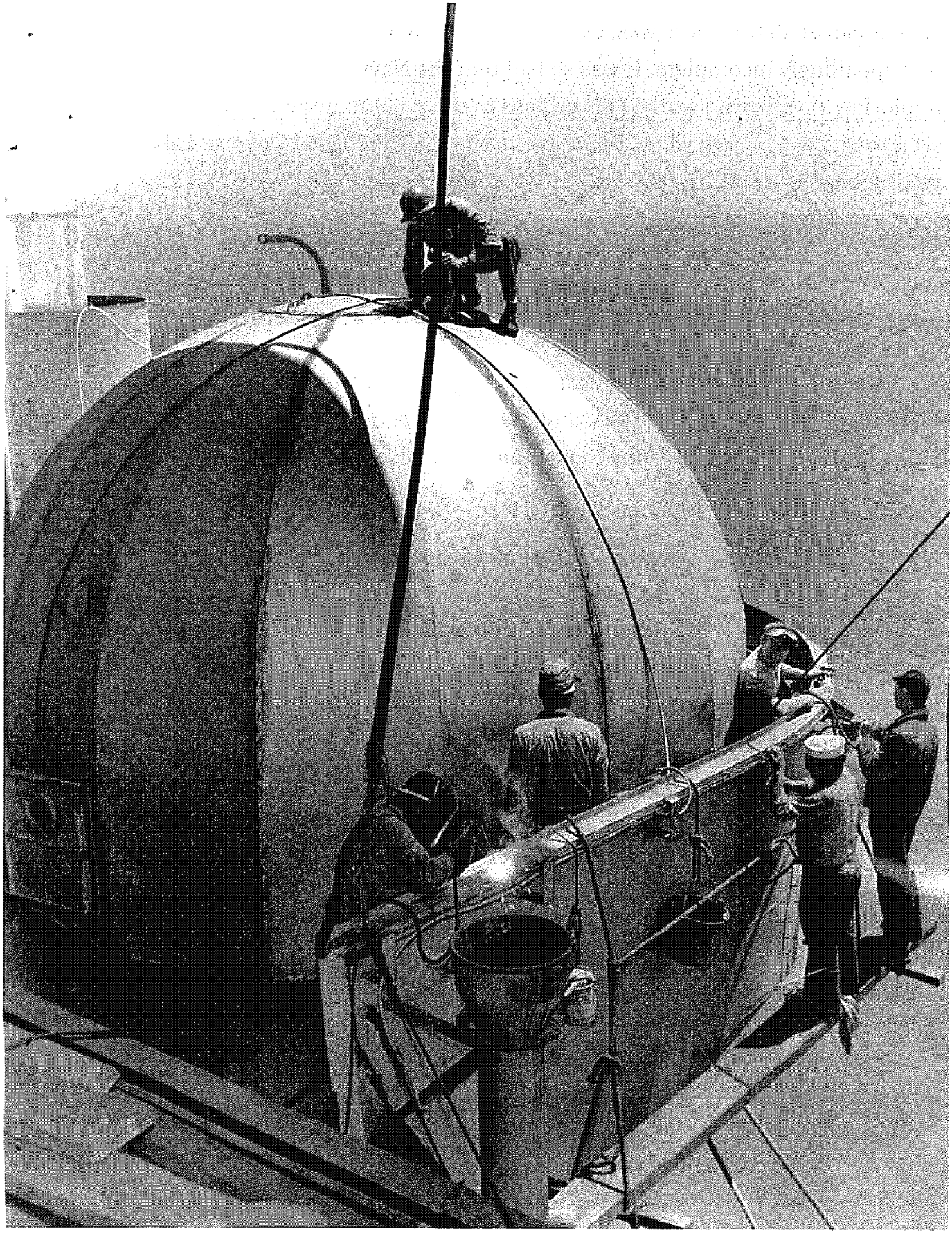
Most of the waste dated from when Hunters Point was a key repair base for aircraft carriers and submarines from World War II until 1974, but some of it dated from 1976 to 1986, when a private ship-repair company called Triple A Machine Shop leased the area.

A whistleblower alerted the city of San Francisco, which later accused Triple A Machine Shop of illegally dumping paint and other toxic waste. (At the time, the city's lawsuit against the ship-repair company, settled for a paltry $1.1 million after almost ten years of litigation, was referred to as the "biggest pollution case in Bay Area history.")

There was also radioactive contamination. From 1946 until 1969, Hunters Point was home to a top-secret U.S. military nuclear-warfare research lab where scientists injected lab animals with radioactive material to study the effects of fallout on living tissue.

The rest of the radioactive waste was more pedestrian. Shipyard workers cleaned ships returning from hydrogen bomb tests—sandblasting the decks and hulls, and burning off the excess fuel, also laden with radiation—with the subsequent radioactive waste dumped in a nearby landfill at bay's edge, or, in at least one instance, used in a landscaping project.

Following animal tests, radioactive material was dumped down drains, contaminating the pipes and sewer lines. Dials, gauges, and deck markers painted with radium were tossed in an on-site landfill or dropped into the water.



Antietam (aircraft carrier) at dry dock and deactivation process center at Hunters Point, 1949. | Photo courtesy of San Francisco Maritime National Historic Park, used with permission

How much of all this there was, exactly, nobody knew. The Navy's own record-keeping was appallingly incomplete. It was so bad that the Navy took out ads in local newspapers, imploring anyone who worked at the base to call a 1-800 number and report what they'd seen tossed where, and when. Some of the Naval Radiological Defense Laboratory's own records remain sealed to this day.

What *was* known was that the site had more than enough pollution at Hunters Point for the Environmental Protection Agency to declare it a Superfund site in 1989—and for the Navy to start spending the first of what has grown to $1.1 billion and counting to clean it.

And, some speculated, the filthy shipyard—the decades of dumping, the careless handling of radioactive materials, and the ignorance of what radiation could do—was also to blame for atrocious health outcomes for residents of the surrounding neighborhood.

Predominately African American, many of them the children of former shipyard workers lured to the area with the promise of war-economy jobs, Bayview-Hunters Point residents suffered higher-than-normal rates of asthma, cancer, and other diseases caused or exacerbated by pollution. On average, someone living off of Third Street in Bayview-Hunters Point could expect to die 14 years sooner than someone living off of California Street in Russian Hill. (Whether it was poverty and violence or the toxic surroundings that were to blame depended on who you asked.)

None of this, however, applied to an area of land called Parcel A. That was where the Navy sited offices and worker housing. This was why public officials began pushing for Parcel A to be redeveloped quickly as early as the 1990s, why it was struck from the Superfund list in 1999 and why it was the ideal location for homebuilding giant Lennar Corporation to site the sales office for The SF Shipyard.

Today, there are more than 300 occupied homes, with dozens more under construction, in the area. Marketing materials for these units, which can fetch more than $1 million in San Francisco's supply-starved market, play heavily on the area's "maritime past," and take pains to steer clear of the area's toxic present.

For years, the line repeated by officials and echoed in the media was that whatever problems the shipyard might have, they did not apply to Parcel A.

Why is cesium bad?

Some level of cesium fallout exists all over the world thanks to nuclear-weapons testing and nuclear disasters like the ones at Chernobyl and Fukushima. In some areas, these background levels can reach up to three picocuries per gram, the level Anthony Smith is said to have found, said Tim Jorgensen, professor of radiation medicine at Georgetown University.

The likeliest source of cesium in the soil Smith tested is either the sandblast waste from the ships returning from Operation Crossroads tests, or the excess fuel from those ships that was burned in an on-site furnace.

Under EPA guidelines, exposure to that level of cesium—for 17 hours a day, over a period of 50 years—poses an "additional cancer risk" of 1 in 10,000. For context's sake, 1 in 4 humans will develop some form of cancer over their lifetimes.

"We have been assured by environmental regulators that there are no issues of concern there," Kofi Bonner, the regional executive for FivePoint, the Lennar-affiliated developer building The SF Shipyard (and former aide to ex-San Francisco Mayor Willie Brown) said in 2016, even as the first hints dropped of a widening fraud scandal that continues to build, almost two years later.

In January, following allegations from Smith and other whistleblowers formerly employed on the cleanup project, the Navy released a series of reports from third-party contractors, who found nearly half of the work performed by Tetra Tech EC shows signs of fraud and cannot be trusted.

According to the EPA, which reviewed the reports and drew its own conclusion, as much as 97 percent of Tetra Tech's work is untrustworthy enough to require it to be done over again.

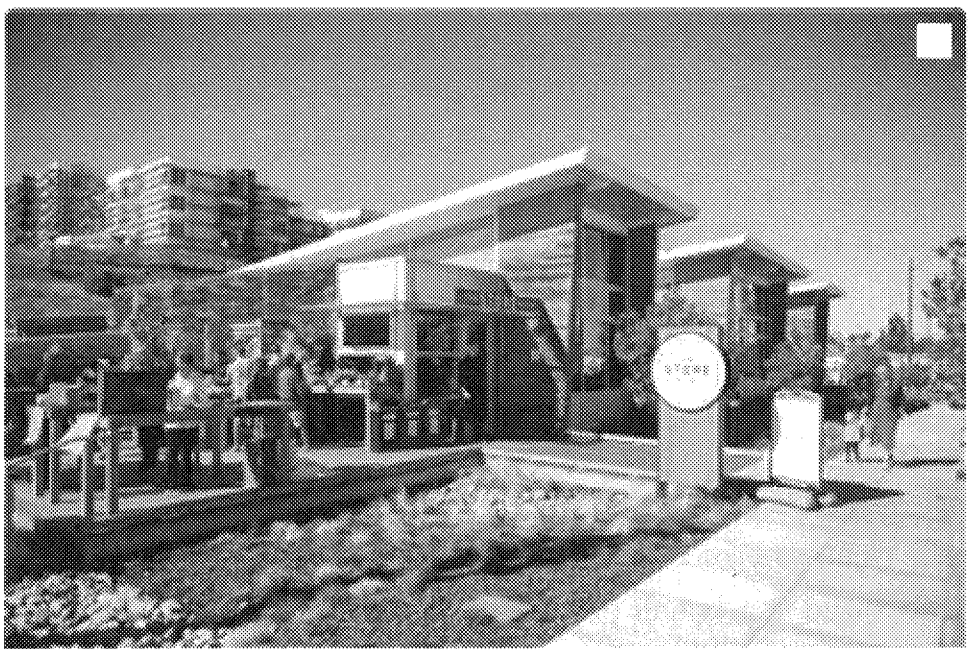
But despite all this, public officials have insisted as recently as this year that there's no reason to question the work on Parcel A.

To suggest otherwise was to be "kicking up dust, even flaring people's fears," Supervisor Malia Cohen, who represents the area, said during an interview on KQED's Forum last month.

The supervisor made a point to "remind and assure the people who have bought and are living out there, the parcel where people currently live never stored hazardous waste."

Navy records and whistleblowers' accounts tell a different story.

According to Smith and Bowers—former shipyard workers whose allegations of widespread, organized fraud in other aspects of the $1 billion shipyard cleanup have, so far, been verified, and are responsible for putting most of the redevelopment of the shipyard into housing and office space on hold—there have been discoveries of radioactive material at Parcel A, at both the bottom of the hill and the hilltop.



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Today we're highlighting one of our fantastic employees – Bobby Pooni, General Manager of The Storehouse. He has helped bring this specialty general store to life at The SF Shipyard! bit.ly/2Gk5IjP
10:43 AM - Mar 30, 2018

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Claims that the Navy never stored radioactive material on the Parcel A hilltop may also be untrue. The problem is that nobody—neither the Navy nor the EPA—can say for certain.

On the footprint of one of these buildings, reportedly demolished in the early 1950s, now stands housing—former Navy property, pressed into service by the city of San Francisco in the early 1980s, well before the full extent of contamination at the shipyard was known. There is no record that that area was ever tested for contamination.

Some of these claims have been made publicly, for more than a year. By all accounts, these discoveries were never followed up on with a full investigation.

"Parcel A has never been fully tested," affirmed Daniel Hirsch, a retired professor of nuclear policy at the University of California, Santa Cruz, who has been closely monitoring the shipyard project for years.

But in the context of the widening fraud scandal at the shipyard, neighborhood advocates, SF Shipyard residents, and cleanup critics say those discoveries are a clear sign that Parcel A should undergo a full, rigorous examination in order for public assurances that the area is safe to be trusted.

"We want the entire area to be completely retested," said Brian Butler, a community organizer with Greenaction, an environmental nonprofit that's been closely monitoring the shipyard scandal for years. "And we want there to be community and city oversight."

And according to nuclear experts not involved with the cleanup and interviewed by Curbed SF, testing Parcel A would be a sane and reasonable step.

"I'm surprised that the city is not more proactive in reaching out to independent experts, such as us," said Kai Vetter, a nuclear physicist at UC Berkeley who oversees a program that examines nuclear radiation. "It should be in its interest to ensure the safety and well-being of its residents, including the psychological well-being."

To speed its $8 billion redevelopment into housing, retail, and parks, the 450-acre shipyard was divided into alphanumeric parcels.

Roughly 88 acres in size, Parcel A was where the Navy sited housing, offices, and other buildings along a ridge of Franciscan chert overlooking the docks, workshops, and warehouses located on bay fill below.

Several companies, including subsidiaries of Tetra Tech Inc., performed soil testing and remediation work at Parcel A since at least the early 1990s, according to records on file with the state Department of Toxic Substances Control. Known contamination included pesticides like DDT, groundwater contaminated with petroleum, and some radioactive residue from sandblasted ships, used as fill in a median, but that was hauled away.

Hunters Point may still be one of the most toxic areas in the United States.

In 1995, the Navy and state and federal environmental regulators pushed for Parcel A's full release to the public to use without restrictions, declaring it clean. This wasn't entirely so. Later investigations over the next decade turned up previously unknown contamination, leading Parcel A to later be subdivided several times.

Areas that were determined to in fact have toxic material, including roadways under which some of the base's 28 miles of storm and sewer lines ran, were put into separate parcels, called "UC" for "utility corridor."

The now-smaller Parcel A was handed over to the city of San Francisco for development in 2004. Five years later, Parcel A was still a barren hillside—cleared of buildings and bedecked with new streets, waiting for the global financial markets to recover so that investors could fund housing construction.

Removing the storm and sewer lines contaminated with low-level radiation in the UC parcels was one of the tasks facing Tetra Tech EC in the summer of 2009. By that time, according to Smith and other whistleblowers, workers and contractors with the company had begun faking the cleanup.

Data was created out of thin air and records falsified, they alleged. Soil from clean areas was passed off as soil from areas where cleanup was supposed to have happened but didn't. Detection devices were deliberately circumvented. Radioactive material was shipped off site—allegations sustained by a review of Tetra Tech data, first published in January by Curbed SF.

Smith himself had already been ordered to destroy soil samples showing radioactive contamination along with any accompanying records, he has alleged in a sworn statement. Despite all this, Smith believed, because of Parcel A's history, soil there would be clean.

The SF Shipyard
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On June 26, 2013, the City of San Francisco and Lennar break ground on the first homes at The San Francisco Shipyard. bit.ly/2FpPBHO
1:05 PM - Jan 31, 2018

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According to his account of events, Smith walked over to a retaining wall near the intersection of Fisher Avenue and Spear Street, where the Parcel A hillside meets the lowlands. (Today, the area is home to a commercial kitchen frequented by food trucks.)

On the other side of the wall was the hillside. About 20 feet from a streetlight pole was an area where the retaining wall was about waist-high, meaning Smith could dig out a soil sample without bending over. He reached over the wall and dug out about six inches' worth of soil with a hand trowel. After filling a plastic sample container with the disturbed soil, he gave the container to a co-worker, Justin Hubbard, to take to the on-site laboratory for testing.

The next day, according to Smith, Hubbard approached him, sample container in hand. In front of three other co-workers, Hubbard informed him that the clean sample had come back "hot."

For that area of Hunters Point to be released for redevelopment, the Navy and EPA had set a "release criteria," a limit for allowable contamination, for cesium 137—a radioactive isotope created during nuclear fission, extended exposure to which can cause cancer—of 0.113 picocuries per gram.

The sample that Smith had collected, Hubbard told him, had between 2 to 3 picocuries per gram of cesium 137—as much as 26 times higher than the release limit.

Smith's discovery suggested that Parcel A might not be clean at all. Cesium bonds to water, and water flows downhill.

Was the elevated sample the result of cesium pooling on the bottom of a hill, like pollen might do? If so, what was the source—background radiation, or something the Navy did?

"Get rid of it...and don't say a word."

It might have to be remediated—or, at the very least, tested to see if it needed to be cleaned. Per procedure at the base, the discovery needed to be reported to the Navy's Radiological Support Office (RASO). Instead, Smith claims, the cesium discovery was kept quiet.

"Get rid of it," Hubbard allegedly told Smith, according to his retelling, "and don't say a word."

Smith took the soil back to where he found it, dumping it back into the hole he had dug. He tossed the container in a bin set aside for radiological waste. For a background sample, he grabbed dirt from an area that used to house the base's PX and was known to be clean.

Until making the above claims in a declaration last year, he kept his word about staying silent. As far as he and other experts observing the Hunters Point clean knows, to this

day, nobody else has ever taken a soil sample from that area and had it tested for radiological contamination.

At least twice—first in 1995, and then in 2001—the Navy and EPA pushed for Parcel A to be released to the public without a full accounting for radiological contamination, despite admissions in public records that "it is likely that hazardous substances... may have been stored in Parcel A."

Aerial photograph of Hunters Point. Bottom left: A blank hillside, formerly Parcel A, that's now the new SF Shipyard development. Photo courtesy of Tom Lingl / AerialPhotography.com

Later discoveries of contamination led to the parcel's subdivision. A final determination that the area was suitable for redevelopment, released in 2004, was prepared by Tetra Tech EM Inc. There are currently no accusations that that particular Tetra Tech subsidiary committed any wrongdoing.

Through spokesperson Sam Singer, Tetra Tech says Smith isn't telling the truth. Smith collected the alleged "hot" sample from another area of the base, says Tetra Tech.

Hubbard, the supervisor Smith says told him to dispose of the sample, was one of two former shipyard workers to plead guilty of falsifying documents in federal court last year. He was sentenced to serve eight months in prison, a term first made public by the Justice Department on Thursday.

The Environmental Protection Agency, tasked with overseeing the cleanup, believes Smith's dirt sample came not from Parcel A, but from Parcel UC-2, one of the parcels later subdivided from Parcel A.

Parcel UC-2, also implicated in Tetra Tech's fraud scandal, was accepted by the city of San Francisco for development before the full extent of the fraud allegations became known.

A spokesman for the city's Office of Community Investment and Infrastructure (OCII), the lead agency on the Hunters Point project, similarly denies that the allegedly tainted sample came from Parcel A. The agency did not offer an alternate theory, has not released a plan for the questionable land, and directed all further inquiries to the Navy.

To date, Malia Cohen, the supervisor for District 10, which encompasses Hunters Point, is the only elected official to address the cleanup critically. The shipyard scandal will be the subject of a City Hall hearing called by Cohen, scheduled for May 14.

"Everything at this point is a cause for concern. I'm trying to identify the reliability of all these sources. I'm talking about the reliability of the Navy. I'm talking about the reliability of the EPA," Cohen told Curbed SF in a recent telephone interview.

"I don't know if we can trust it or if we cannot trust it. But at this point, I haven't seen enough evidence for me to doubt that Parcel A is not clean, not suitable for human living," she added.

"I also want to say, however, I am open for it to be retested."

Cohen is the only local elected official to directly address the shipyard. Past requests seeking comment from Mayor Mark Farrell were not returned.

The city family's compliant silence baffles outside experts.

"It's in the city's interest to make sure that it's safe," said Kai Vetter, the UC Berkeley physicist. "I don't know why I'm hearing from you and not them about this," he told a reporter.

The Navy did not respond to repeated requests for comment from Curbed SF for this story.

In 2017, Derek Robinson, the Navy's project lead for Hunters Point, told NBC Bay Area in an interview that Smith's claims were investigated, and the area deemed to be safe.

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The cesium Smith found, Robinson said, poses no risk to the public, and is attributable to background levels of radiation found throughout the Bay Area. And, even though it is above the release criteria, it's not the Navy's job to clean, he said.

Nuclear experts agreed with Robinson's analysis—to a point.

The EPA's release criteria for Hunters Point for ceisum is 0.133 picocuries per gram—a figure that accounts for other radionuclides also emitting radiation.

If cesium was the only radionuclide found on Parcel A, the presence of 2 to 3 picocuries of the material per gram of soil would be acceptable.

"That's not abnormally high," says Tim Jorgensen, a professor of radiation medicine and the director of the Health Physics and Radiation Protection program at Georgetown University, in a recent telephone interview.

For these reasons, "a single sample of 3 picocuries per gram is not a health issue at all," says Jorgensen. "However, it needs to be further investigated.

"I'm not saying the one sample the guy took is representative of the whole site," Jorgensen added. "I'm not saying somewhere on the site, you can't find 600 picocuries per gram. I would think more sampling is warranted. Until you cover the area, you can't be sure there's not a pocket of more radioactivity than that."

In any event, according to authorities, Michelle Huitric, an EPA spokeswoman, the dirt in question is long gone. Two feet of soil was removed and replaced with clean soil in 2012, according to Michelle Huitric, an EPA spokeswoman.

But at least one other discovery of radioactive material on the Parcel A hilltop has been reported by whistleblowers—this one of radium 226, another radionuclide associated with nuclear testing, and one that potentially poses more danger to the public.

Aerial photograph Hunters Point San Francisco California; an area where Terra Tech fraud was discovered. | Photo courtesy of Herb Lingl/AerialPhotography.com

Bert Bowers, another former radiation technician working on Tetra Tech projects, told Curbed SF that in 2004, he entered a brick-lined manhole located off of Navy Road on Parcel A.

This part of Parcel A, a rectangular portion of hillside physically separated from the rest to the west, was the former location for Navy housing, all gone derelict by the time Bowers got there. Today, the site is an empty hillside.

According to Bowers, when he took a reading of the radiation levels in that manhole—and, thus, the sewer line—it tested positive for elevated levels of radium 226.

With a half-life of 1601 years, and the ability to emit particles that the human body stores in bone, radium 226 is a more insidious radionuclide. Decaying radium emits radon gas, a leading cause of lung cancer.

To date, Hunters Point's radium problem was thought to be concentrated in the old Navy landfill, where hundreds of gauges, dials, and other devices painted with radium are buried. The presence of radium in the sewer system on Parcel A would contradict earlier claims that the area is free from radiological contamination.

To Bowers' knowledge, the discovery was reported but never followed up on.

"If you find that one sample with that kind of elevated activity, you don't ignore it and move on," Bowers said in a recent telephone interview from his home in South Carolina. "You go and spread out and see if concentrated or not."

"That never happened."

In a memo first published in late 2016 and recently re-circulated to Curbed SF as proof that Parcel A is clean, the EPA points to a scan of Parcel A completed in 2002. That year, over a three-day period in September, the EPA drove a "scanner van," a vehicle resembling an ice-cream truck, equipped with some radiation-detecting devices, over the base.

The van detected no radiological contamination on Parcel A, but also detected no contamination elsewhere on the base, including areas later known to be dirty, according

to records.

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For that reason, advocates like Greenaction argue that the scanner van is so insufficient as to be worthless. Nuclear experts interviewed by Curbed SF are less critical, but point out potential flaws.

"It would be possible," says Kai Vetter, the nuclear physicist at UC Berkeley, "to still have radioactive materials there (such as cesium and radium) which have not been detected."

"If I were to live there as resident, particularly with young children who roam around, I'd reach out for another independent opinion and measurements with more state-of-the art technologies," added Vetter, who runs a program that scans areas for radiation. Such a deep scan could be costly or time-consuming—a budget of $1 million might be appropriate, Vetter estimated—but that's nothing compared to the value of the real estate and the land.

Part of the hilltop above the shipyard that was formerly Navy property has been in city hands for almost 40 years. An area of occupied housing today called Mariner's Village—a collection of 13 rectangular, two-story buildings, some of which have backyards with a full view of the Navy's old radiation lab, an eerie, seven-story monolith of a building—was transferred to the city in the early 1980s.

It was here, in three buildings reportedly demolished in the early 1950s, that the Navy stored materials for use in experiments at the Naval Radiological Defense Laboratory, according to accounts of the use of radioactive material at the base, first published in the early 2000s.

Exactly what was stored there is not known. According to a comparison of Navy and parcel maps, housing was later built directly on top of the footprint of one of those buildings. According to a 2003 *SF Weekly* article, residents of the area complained of asthma, cancer, and other maladies often caused by a reaction of the human body's immune system to toxins.

Other contamination at the base that later required remediation occurred in ways that sound routine. These include an incident in which a technician was carrying a container with cesium in it between buildings in the lowland parcels.

The technician somehow dropped the radioactive material. The Navy's solution was to slap a cover of asphalt over the subsequent spill, called the "peanut spill" because of its shape. Decades later, contamination remained, and the spill had to be cleaned up.

One or even two samples of elevated radiation "doesn't tell you very much, but it's suggestive," said Edwin Lyman, a nuclear power and nuclear-safety expert at the Union of Concerned Scientists. "It seems like there's a compelling reason to do a more extensive survey."

It's possible for Cold War-era lab workers to have tracked the contamination up onto the hill from the down-below labs on their clothing. Excess fuel from ships blasted with hydrogen bombs during Operation Crossroads was also burned off on-site; radioactive residue from that could also have contaminated the hilltop area, Lyman speculated.

"Given the history of the site, they should investigate. They don't want to investigate, but they should investigate," he added, providing one theory for the public agencies' repeated insistence that Parcel A is safe and that no further testing is warranted: they're afraid of what more testing might find.

"It's a Pandora's box, especially since they already have housing on the site," he said. "The last thing they want to do is potentially invite lawsuits." ■

HUNTERS POINT

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